

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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W13b

Prepared August 20, 2003 (for September 10, 2003 hearing)

To: Commissioners and Interested Persons

From: Diane Landry, District Manager
Dan Carl, Coastal Planner

Subject: **Santa Cruz County LCP Amendment Number 1-03 Part 4 (Accessory Structure Regulations).** Executive Director's determination that the amendment is de minimis to be reported to the California Coastal Commission at its September 10, 2003 meeting to take place at the Eureka Inn, 518 Seventh Street, in Eureka.

1. Santa Cruz County's Proposed Amendment

Santa Cruz County is proposing to amend its certified Local Coastal Program (LCP) zoning code (only) to limit accessory structure height and number of stories. These changes would affect LCP Sections 13.10.322(b), 13.10.323(e)(6), and 13.10.700-D. For Section 13.10.322(b), the maximum height and number of stories for non-habitable accessory structures within the urban services line will be reduced from the current LCP maximum of 2 stories and 28 feet in height to 1 story and 17 feet in height. For Section 13.10.323(e)6, the allowable height for small accessory structures (less than 120 square feet in size) within 3 feet of side and rear yards will be reduced from 28 feet to 10 feet. For Section 13.10.700-D, the definition of a detached structure will be clarified. See exhibit A for proposed changes.

The purpose of this notice is to advise interested parties of the Executive Director's determination that this proposed LCP amendment is de minimis.

2. De Minimis LCP Amendment Determination

Pursuant to Coastal Act Section 30514(d), the Executive Director may determine that a proposed LCP amendment is "de minimis." In order to qualify as a de minimis amendment, the amendment must meet the following three criteria:

1. The Executive Director determines that the proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and that it is consistent with the policies of Chapter 3;
2. The local government provides public notice of the proposed amendment at least 21 days prior to submitting the amendment to the Commission, by one of the following methods: posting on-site and off-site in the affected area, newspaper publication, or direct mailing to owners and occupants of contiguous property; and
3. The amendment does not propose any change in use of land or water or allowable use of



California Coastal Commission
September Meeting in Eureka

Staff: D.Carl Approved by:

SCO LCPC 1-03 Part 4 Accessory structures stfprt 9.10.2003.doc

property.

If the Executive Director determines that an amendment is de minimis, that determination must be reported to the Commission. If three or more commissioners object to the de minimis determination, the amendment shall be set for public hearing; if three or more commissioners do not object to the de minimis determination, then the amendment is deemed approved, and it becomes a certified part of the LCP 10 days after the date of the Commission meeting. In this case, on September 20, 2003.

Each of the de minimis criteria is discussed briefly below:

- 1. No impact to coastal resources and consistency with Chapter 3 of the Coastal Act:** The proposed LCP changes will decrease the maximum allowable size (in height and stories) of non-habitable residential accessory structures within the County urban services line (see exhibit B for a map of the areas located within the urban services line), decrease the maximum allowable height of small accessory structures near to neighboring side and rear yards, and close a loophole in the definition of detached structures (see proposed changes in exhibit A). These LCP changes will help ensure that such new and replacement structures maintain the existing character of neighboring development, don't unduly threaten public viewsheds, and preserve the overall character of the County's built environment. The changes proposed strengthen the LCP's resource protection policies. Thus, the proposal would not have an impact, either individually or cumulatively, on coastal resources, and it is consistent with the policies of Chapter 3 of the Coastal Act.
- 2. Provision of public notice:** The County provided public notice in advance of both the Planning Commission hearings (held on February 27, 2002 and February 12, 2003) and the Board of Supervisor's hearing (held on April 1, 2003). For the Planning Commission hearing, notices were mailed to interested parties on February 20, 2002 and January 22, 2003 respectively, and posted in the newspaper in advance of the hearings. For the Board hearing, notices were mailed to interested parties on March 28, 2003, and posted in the newspaper in advance of the hearing. In addition, the proposed text was made available in advance at the Planning Department front counter (in advance of County hearings, on February 20, 2002, January 22, 2003, and March 28, 2003), at office of the Clerk of the Board (on March 28, 2003), and at the Santa Cruz County Main and Watsonville libraries (on March 28, 2003); the text was also made available on the County's website in advance of the Board hearing. The amendment submittal was subsequently received by Commission staff on May 5, 2003, thus satisfying the 21 day requirement.
- 3. No change in use of land or allowable use of property:** No change in use is proposed by this amendment.

The Executive Director will report this de minimis determination, and any comments received on it, to the Coastal Commission at its September 10, 2003 meeting at the Eureka Inn, 518 Seventh Street, in Eureka. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Dan Carl at the Central Coast District Office in Santa Cruz. If you wish to comment on the proposed de minimis amendment determination, please do so by September 5, 2003.



Exhibits:

Exhibit A: Board of Supervisors Resolution

Exhibit B: Board of Supervisors Staff Report

Exhibit C: Proposed LCP Zoning Code Text Changes

Exhibit D: Urban Services Line Map

